

**LOUISVILLE METRO COUNCIL MEETING
REGULAR MEETING
JANUARY 28, 2010
6:00 PM
METRO COUNCIL CHAMBERS**

CALL TO ORDER: President Owen called the **January 28, 2010** Regular Meeting of the Louisville Metro Council to order at 6:00 PM. He asked all to rise and join him in the Pledge of Allegiance to the Flag.

ROLL CALL:

JUDY GREEN: PRESENT
BARBARA SHANKLIN: PRESENT
MARY WOOLRIDGE: PRESENT
DAVID TANDY: PRESENT
CHERI BRYANT HAMILTON: PRESENT
GEORGE UNSELD: EXCUSED ABSENCE
KEN FLEMING: PRESENT
PRESIDENT TOM OWEN: PRESENT
TINA WARD-PUGH: PRESENT
JIM KING: PRESENT
KEVIN KRAMER: PRESENT
RICK BLACKWELL: PRESENT
VICKI WELCH: PRESENT
BOB HENDERSON: PRESENT
MARIANNE BUTLER: PRESENT
KELLY DOWNARD: PRESENT
GLEN STUCKEL: PRESENT
JON ACKERSON: PRESENT
HAL HEINER: PRESENT
STUART BENSON: PRESENT
DAN JOHNSON: PRESENT
ROBIN ENGEL: PRESENT
JAMES PEDEN: PRESENT
MADONNA FLOOD: PRESENT
DOUG HAWKINS: PRESENT
BRENT ACKERSON: PRESENT

CLERK: There are 25 members present establishing a quorum.

PRESIDENT OWEN: Please allow the record reflect that Councilman Unseld has an excused absence.

CLERK: So noted.

PRESIDENT OWEN: And you have noted those colleagues who came in after the gavel.

CLERK: Sure will.

MOMENT OF SILENCE:

PRESIDENT OWEN: Thank you.

Colleagues and those folks attending and looking over our shoulder, if we can pause for a moment of silence recognizing the personal tragedy of one of our own Councilman Unseld's wife, Jackie, died late last week. And we feel the sharp and keenly felt pain.

In addition to that, our pausing in silence would reflect our concern and sympathy for the suffering people

of Haiti in their tragic -- in their disaster. So if we can have a moment of silence.

(Moment of silence).

PRESIDENT OWEN: Thank you.

ADDRESSES TO COUNCIL:

PRESIDENT OWEN: Madam Clerk, do we have any addresses to Council.

CLERK: Yes, sir.

Stephan Kouzomis - A Miracle in Education and Life

Maryann Fang - Cultural Event

CLERK: That concludes the addresses to Council.

INTRODUCTION OF PAGES:

PRESIDENT OWEN: Councilwoman Green, please introduce your pages.

COUNCILWOMAN GREEN: Thank you, Mr. President, colleagues tonight I have the pleasure of introducing two wonderful children from Steven Foster Academy that's going to be working with us tonight.

First we have Mr. Damon Hall. Would you please stand, Damon?

Damon is 11 years old and he is a fifth grader and Steven Foster Traditional Academy where he is in the advanced program. Great job, Damon. Damon loves school, and he has super academics.

And he also plays on the school's championship basketball team.

Dime Monday, thank you so very much for coming out tonight to help us.

And we do have a certificate for you to take back.

And I'll give that to you at the end of the night. We appreciate it.

Colleagues, help me to welcome Damon Hall, please.

COUNCILWOMAN GREEN: Next we have little Ms. Maggie Hoffman.

She's ten years old and also a fifth grader at Steven Foster Traditional Academy.

Maggie is in the advanced program, as well. Maggie loves cheer leading.

And she's on the championship Foster cheer leading squad.

Maggie is proficient in all academic areas, as well.

Both of these students are model students for Foster and represent what Foster is all about, outstanding academics, behavior and attendance. Please help me welcome Maggie Hoffman tonight.

Thank you.

COUNCILWOMAN GREEN: Maggie, I have a certificate for you, as well. Thank you.

PRESIDENT OWEN: Thank you, Councilwoman Green.

GUESTS:

PRESIDENT OWEN: Councilman Tandy, you have a guest.

COUNCILMAN TANDY: I do.

Well, colleagues, it's indeed a pleasure and an honor for me to recognize tonight Mr. Michael James Dennis that Stephan alluded to. Michael is a living example of perseverance focus and commitment. In 2009 he became the first in his family to graduate from college. He's a product of a household that was involved in mental abuse, drug addiction and dire poverty. during the periods of his childhood when often there was no food in the home insufficient school clothing and regrettably no money for medical treatment, he also overcame extraordinary obstacles related to his health, crippling scoliosis which resulted in three years of him wearing a full body cast. During his childhood adolescence he experienced repetitive medical treatments and a series of invasive surgeries. He missed a full year of school because of his then degenerating medical condition. But, fortunately by his senior year of high school his diseases were in remission.

To say that Michael has overcome the many odds against him is an understatement. In his own words Michael says: It is the consensus of many that I should not be here today.

Despite the conditions of his background Michael excelled academically and was a student leader at the University of Louisville. Because the only financial resources available to him were those of a single mother, he sometimes simultaneously worked multiple jobs while being a student.

Even so, he maintained a 3.5 GPA and received numerous academic honors. In addition to his academic accomplishments Michael has contributed his -- to the service of the university through various appointed and elected positions. For example, during the 2008-2009 academic years he was elected vice president of the Student Government Association.

The future for Michael appears to be much more promising than his past might have indicated.

He is currently employed at Brown Foreman Company.

Which I'm proud to have Michael as a constituent of mine between the hours of 9 to 5 every day.

But in addition to his professional employment opportunity he has applied for masters in business administration program at Yale University School of management.

You didn't consider going to Vanderbilt? That's all right. If accepted at Yale, Brown Foreman Company has given their assurance that they will hold open for him a professional employment opportunity until he completed his studies at Yale.

Michael James Dennis is a survivor, a hard worker, a leader and a scholar and the type of individual we need more of here in Louisville Kentucky. so tonight is with great honor that I honor Michael along with Councilman Owen and all of you my colleagues for the great things that Michael has done in his life and the example he serves for our young people in this community.

So ladies and gentlemen, I present to you, Michael James Dennis.

MR. DENNIS: If I may. I stand before you all tonight with great pride and much gratitude as it is a tremendous honor to be awarded this proclamation.

I just hope this proclamation stands as an example to the youth in the community that if you remain positive, focused on your goals and willing to work hard then you can achieve absolutely anything which I believe is much of the spirit of Louisville.

Everyone here -- everyone in this city of Louisville has limitless potential as we have all of the great resources and tools at our disposal. So it doesn't matter the obstacles everyone is going to achieve greatness in this great city in which we find ourselves. I hope I stand as an example for everyone and the

youth in this community and thank you for honoring me tonight and I hope I can continue to see you again and continue to make you proud. So thank you very much for having me here tonight.

POINT OF PERSONAL PRIVILEGE:

COUNCILMAN KRAMER: Mr. President, I would like to seek a point of personal privilege.

PRESIDENT OWEN: Councilman Kramer.

COUNCILMAN KRAMER: Thank you Mr. President. It is with a heavy heart tonight I'm announcing to you that Graham Honaker who has been in my office for the last six years has accepted a position in University of Louisville. A heavy heart for me but not Graham. Actually I'm quite proud of the work that he did in my office and when you have a stellar person in an office as he is folks around town tend to notice. and it was just a matter of time before someone realized the potential that this young man had and found a way to steal him away from me. I couldn't be more proud of him.

I know he'll do great things with the University of Louisville. I wish him only the best but I did want to let the public know that we were losing to the University of Louisville one heck of a good guy.

So thanks, Graham, for the years you've been here.

I really appreciate all the work you've done and look forward to the great things you'll do at U of L.

PRESIDENT OWEN: Thank you. We will miss him and wish him the very best.

COUNCIL MINUTES:

Next we have approval of minutes for the Council meeting of January 7th 2010.

Are there any corrections or deletions?

COUNCILMAN PEDEN: Motion to approve.

COUNCILMAN DOWNARD: Second.

PRESIDENT OWEN: The minutes have been properly moved and seconded.

All those in favor signify by saying aye.

ALL PRESENT: AYE

PRESIDENT OWEN: Are there any opposed?

The ayes have it.

These minutes are approved as written.

COMMITTEE MINUTES

PRESIDENT OWEN: Next we have the approval of the following committee minutes.

5--Special: Committee on Committees - January 15, 2010

6--Regular: Committee on Committees - January 26, 2010

7--Special: Contracts and Appointments- January 21, 2010

8--Special: Health and Human Needs - January 20, 2010

9--Special: Planning/Zoning, Land Design & Development - January 26, 2010

COUNCILWOMAN WOOLRIDGE: Motion to approve.

COUNCILMAN JOHNSON: Second.

PRESIDENT OWEN: The minutes have been properly moved and seconded.

All those in favor signify by saying aye.

ALL PRESENT: AYE

PRESIDENT OWEN: Are there any opposed?

The ayes have it.

These minutes are approved as written.

INVOKING RULE 7.12

The next item is the invoking of Council rule 7.12.

COUNCILMAN HAWKINS: Mr. President, I'm sorry I'm noticing up here Councilman Fleming is shown at not voting and Councilman Unseld is shown at voting.

PRESIDENT OWEN: Can we get some assistance with that?

CLERK: We'll mark it correctly.

COUNCILMAN HAWKINS: Thank you, ma'am, I just want to make sure.

PRESIDENT OWEN: I will say to you it's not a surprise when you look at the screen that we are dealing with new tabulation screens. And it looks like there may be a glitch that they will take care of.

Next item is the invoking of Council Rule 7.12 which allows for the suspension of Rule 7.01.

Passing legislation on one reading and the declaration of an emergency on the following ordinance.

Is there objection to the invoking of Rule 7.12?

Without objection then, we will invoke that rule.

SPECIAL ORDINANCES:

PRESIDENT OWEN: Madam Clerk, a reading of Item 11.

11--O-21-01-10 AN ORDINANCE APPROPRIATING \$14,000 IN TOTAL WITH \$1,000 COMING FROM EACH OF FOURTEEN NEIGHBORHOOD DEVELOPMENT FUNDS THROUGH THE OFFICE OF MANAGEMENT AND BUDGET TO THE LOCAL CHAPTER OF THE AMERICAN RED CROSS FOR DISASTER RELIEF; AND DECLARING THE ENACTMENT OF THIS ORDINANCE AN EMERGENCY.

Status:-On Council Agenda - For a Vote

Primary Sponsor: -Jon Ackerson
-Tom Owen

PRESIDENT OWEN: May I have a motion for approval?

COUNCILMAN DOWNARD: Motion to approve.

COUNCILMAN JOHNSON: Second.

PRESIDENT OWEN: The item is properly moved and seconded.

Is there discussion? Councilman Jon Ackerson.

COUNCILMAN JON ACKERSON: Yes, Mr. President, members of the Council. the motivating force behind this ordinance this emergency ordinance that Councilman Owen and I are sponsoring is to provide some assistance moral support and financial assistance to disasters more particularly the disaster all on our hearts right now what's going on in Haiti. Now this particular emergency ordinance is provided to replenish funds for our local Red Cross and we would anticipate although there's no guarantee that this money would then be used for the Haitian assistance that is those Haitians located in our community as well as what's going on in the country itself.

I think this is a gesture \$14,000 doesn't sound like a lot and in the overall scheme of things. It's not but the gesture I think is huge. and I think we as officials of this body and as individuals concerned about what's going on over there I would hope you can support this ordinance.

PRESIDENT OWEN: Of course it is true, colleagues, that our Council rule limits any use of discretionary funds to be spent in Jefferson County and Metro Louisville. So, this money of course would go to the American Red Cross. And the presumption of course is that the American Red Cross would be replenishing funds that they would be normally directing toward the relief that Councilman Jon Ackerson speaks to. So we have it read in full. We have a motion and a second.

Is there any further discussion? Yes Councilman Peden.

COUNCILMAN PEDEN: Thank you, Mr. President.

I would actually when Mr. Ackerson called me over the break he asked if I would support him and his emergency ordinance and I said yes. That was miscommunicated that I would be contributing money so this time I would like to pull the thousand dollars that was listed as District 23 it was a mistake. I do support the necessary 18 votes he needs to get this through but I did not intend to give money.

PRESIDENT OWEN: Yes.

COUNCILMAN JOHNSON: I would like to add the thousand dollars back so it stays the same.

PRESIDENT OWEN: I will note that Councilman Stuckel has added \$1,000, as well.

So that puts us in additional \$1,000 up.

Any other discussion?

Yes, Councilman Tandy.

COUNCILWOMAN GREEN: Are you on the

PRESIDENT OWEN: I am now.

I just saw Councilman Peden. And I just did Mr. Johnson.

And now the next is Councilwoman Welch.

COUNCILWOMAN WELCH: I would like to add \$500 from District 13.

PRESIDENT OWEN: And Councilwoman Green.

COUNCILWOMAN GREEN: Thank you, Mr. President. District 1 would like to add 1,000.

PRESIDENT OWEN: All right. And Mr. Engel.

COUNCILMAN ENGEL: Yes, Mr. President, I misunderstood the intent.

I know the intent of the ordinance. But I want to pull my sponsor -- my thousand dollars, please, thank you.

PRESIDENT OWEN: Madam Clerk, I'm sure you're calculating this as we move along.

CLERK: As fast as I can, sir.

PRESIDENT OWEN: An amending motion. Councilwoman Shanklin.

COUNCILWOMAN SHANKLIN: I do not see my name on there.

But -- I didn't see my name but I had called his office and told him I wanted to give \$1,000.

PRESIDENT OWEN: And Councilman Tandy.

COUNCILMAN TANDY: Thank you, Mr. President, I would like to add \$1,000 from District 4, please.

PRESIDENT OWEN: Councilman King.

COUNCILMAN KING: Thank you, Mr. President. I would like to ask the clerk if District 10 is included.

CLERK: Just a second. I'll check the item.

COUNCILMAN KING: Thank you. I'm being told that we are.

PRESIDENT OWEN: Yes.

COUNCILMAN KING: Thank you.

PRESIDENT OWEN: All right. Any other discussion?

Yes Councilwoman Woolridge.

COUNCILWOMAN WOOLRIDGE: Thank you, Mr. President, for the folks out there listening I would like them to know their Councilwoman it's on the paperwork at \$1,000. Thank you.

PRESIDENT OWEN: Any other discussion? Councilman Henderson.

COUNCILMAN HENDERSON: Yes, sir, I would like to make sure I'm on the list, as well, for \$1,000.

PRESIDENT OWEN: You are listed as a sponsor in the version of the ordinance that I see.

CLERK: President Owen, would you like me to read those who are on the list so the public knows.

PRESIDENT OWEN: Well, apparently there's some confusion as to who is on the list and who is not.

Perhaps with the deletion of Councilman Peden's name and Councilman Engel's name, yes, please.

CLERK: The primary sponsor, President Owen, Councilman Jon Ackerson, Councilwoman Shanklin, Councilwoman Woolridge, Councilwoman Hamilton, Councilman King, Councilwoman Ward-Pugh, Councilman Blackwell Councilman Henderson Councilwoman Flood and Councilman Brent Ackerson and the deletion of District 22 and 23.

PRESIDENT OWEN: And did you -- we've noted an addition of \$1,000 from Councilman Stuckel and Councilman Johnson and Green. And then someone else added 500.

CLERK: Yes, I have Councilman Johnson with \$1,000.

Councilwoman Welch, \$500.

Councilwoman Green, \$1,000.

And Councilman Tandy, \$1,000.

PRESIDENT OWEN: Yes. Okay. Any other discussion, colleagues?

COUNCILMAN KING: Mr. President would you like those changes moved and seconded.

PRESIDENT OWEN: I would indeed.

COUNCILMAN KING: I'll move those changes.

PRESIDENT OWEN: And a second?

COUNCILMAN HENDERSON: Second.

PRESIDENT OWEN: There is a motion to add these additional amounts and delete the two amounts.
And do I hear -- will you signify with a yes vote by saying aye.

ALL PRESENT: AYE

PRESIDENT OWEN: Any opposed?

There are none.

Then all those in favor.

We did that. The ayes have it and the floor amendment passes.

Is there any further discussion?

COUNCILWOMAN WOOLRIDGE: Mr. President, could we get that total from the clerk, please.

PRESIDENT OWEN: Yes, please. Madam Clerk.

CLERK: One second.

PRESIDENT OWEN: We're awaiting a total.

COUNCILMAN FLEMING: Mr. President, I just want to make sure that the clerk -- there's -- is there a computer -- I mean is there a glitch in the system because I'm not registering again.

CLERK: Yes, sir, I will make sure that you are on there.

COUNCILMAN FLEMING: I would appreciate that, please.

CLERK: Yes, we are marking it.

The total that we will start with those deletions will be 12,000.

And the addition of -- \$3500 which will be \$15,500.

PRESIDENT OWEN: And the total amount?

CLERK: \$15,500.

PRESIDENT OWEN: \$15,500. All right.

Is there further discussion?

Yes, Councilman Stuckel.

CLERK: Councilman Stuckel wasn't originally listed.

I have Councilman Stuckel on there.

COUNCILMAN STUCKEL: There was \$2,000 that was deducted.

CLERK: That's correct.

I'm taking it from \$14,000, which I read into the record.

COUNCILMAN OWEN: And Councilman Owen, Mr. President, we did okay that with a voice vote is that correct.

CLERK: The floor amendment, yes.

PRESIDENT OWEN: The floor amendment.

Now we're getting ready to vote.

Councilman Henderson, I see you as a person -- you did not need to speak.

COUNCILMAN HENDERSON: No, I have already done it.

PRESIDENT OWEN: All right. Hearing -- any further discussion?

We have the amended ordinance before us which calls for a roll call vote.

Madam Clerk, please open the voting.

Voting Result: Item 11

JUDY GREEN: YES
 BARBARA SHANKLIN: YES
 MARY WOOLRIDGE: YES
 DAVID TANDY: YES
 CHERI BRYANT HAMILTON: YES
 GEORGE UNSELD: EXCUSED ABSENCE
 KEN FLEMING: YES
 PRESIDENT TOM OWEN: YES
 TINA WARD-PUGH: YES
 JIM KING: YES
 KEVIN KRAMER: YES
 RICK BLACKWELL: YES
 VICKI WELCH: YES
 BOB HENDERSON: YES
 MARIANNE BUTLER: YES
 KELLY DOWNARD: YES
 GLEN STUCKEL: YES
 JON ACKERSON: YES
 HAL HEINER: YES
 STUART BENSON: YES
 DAN JOHNSON: YES
 ROBIN ENGEL: YES
 JAMES PEDEN: YES
 MADONNA FLOOD: YES
 DOUG HAWKINS: YES
 BRENT ACKERSON: YES

CLERK: There are 25 Yes votes and one not voting; Councilman Unseld who is excused.
 PRESIDENT OWEN: Thank you very much. **The ordinance as amended passes.**

CONSENT CALENDAR:

PRESIDENT OWEN: Our next order of business is the consent calendar.

The consent calendar comprises of Items 12 through 77.

Are there any additions or deletions? Councilman Benson.

COUNCILMAN BENSON: I request that Item 76 and 77 be removed to old business.

PRESIDENT OWEN: All right.

Without objection Item 76 and 77 will go to old business .The consent calendar now consists of Items 12 through 75. Madam Clerk, a second reading of these items.

12--R-10-01-10 A RESOLUTION PURSUANT TO THE CAPITAL AND OPERATING BUDGET
 ORDINANCES, APPROVING THE APPROPRIATION TO FUND THE FOLLOWING
 NONCOMPETITIVELY NEGOTIATED MEMORANDUM OF AGREEMENT WITH THE HOUSING
 PARTNERSHIP, INC. \$ 3,335,500.00.

Status:-On Council Agenda - Consent Calendar

Committee:-Health & Human Needs

Primary Sponsor:-Judy Green

13--R-01-01-10 A RESOLUTION AUTHORIZING THE MAYOR TO ACCEPT A GRANT FROM THE DEPARTMENT OF HEALTH AND HUMAN SERVICES, ADMINISTRATION FOR CHILDREN AND FAMILIES, OFFICE OF COMMUNITY SERVICES, CONNECTED TO THE AMERICAN RECOVERY AND REINVESTMENT ACT (STIMULUS), IN THE AMOUNT OF \$249,975 FOR THE STRENGTHENING COMMUNITIES FUND (SCF) STATE, LOCAL, AND TRIBAL GOVERNMENT CAPACITY BUILDING PROGRAM FOR THE PURPOSE OF BUILDING SERVICE DELIVERY SUPPORT CAPACITY WITHIN METRO GOVERNMENT AND WITH SELECTED NON-PROFITS FOR CERTAIN ELIGIBILITY BASED PROGRAMS THROUGH THE LOUISVILLE METRO DEPARTMENT OF HOUSING AND FAMILY SERVICES.

Status:-On Council Agenda - Consent Calendar

Committee:-Health & Human Needs

Primary Sponsor:-Judy Green

14--R-02-01-10 A RESOLUTION AUTHORIZING THE MAYOR TO ACCEPT A DONATION OF WEATHERIZATION KITS FROM E.ON U.S. LLC VALUED AT APPROXIMATELY \$16,230.00 TO BE USED BY COMMUNITY ACTION PARTNERSHIP (CAP) FOR DISTRIBUTION TO CLIENTS OF THE LOW INCOME HOME ENERGY ASSISTANCE PROGRAM (LIHEAP).

Status:-On Council Agenda - Consent Calendar

Committee:-Health & Human Needs

Primary Sponsor:-Judy Green

15--AP012010DD APPOINTMENT OF DARRELL DEFLEER TO THE AFFORDABLE HOUSING TRUST FUND BOARD. TERM EXPIRES DECEMBER 31, 2010.

Status:-On Council Agenda - Consent Calendar

Committee:-Contracts and Appointments

16--AP012010CH APPOINTMENT OF CATHY HINKO TO THE AFFORDABLE HOUSING TRUST FUND BOARD. TERM EXPIRES DECEMBER 31, 2010.

Status:-On Council Agenda - Consent Calendar

Committee:-Contracts and Appointments

17--AP012010CD APPOINTMENT OF CHRIS DISCHINGER TO THE AFFORDABLE HOUSING TRUST FUND BOARD. TERM EXPIRES DECEMBER 31, 2010.

Status:-On Council Agenda - Consent Calendar

Committee:-Contracts and Appointments

18--AP012010MG APPOINTMENT OF MARLENE GORDON TO THE AFFORDABLE HOUSING TRUST FUND BOARD. TERM EXPIRES DECEMBER 31, 2010.

Status:-On Council Agenda - Consent Calendar

Committee:-Contracts and Appointments

19--AP012010JR APPOINTMENT OF JOHN RIPPY TO THE AFFORDABLE HOUSING TRUST FUND BOARD. TERM EXPIRES DECEMBER 31, 2011.

Status:-On Council Agenda - Consent Calendar

Committee:-Contracts and Appointments

20--AP012010BC APPOINTMENT OF BENJAMIN COOK TO THE AFFORDABLE HOUSING TRUST FUND BOARD. TERM EXPIRES DECEMBER 31, 2011.

Status:-On Council Agenda - Consent Calendar
Committee:-Contracts and Appointments

21--AP012010AS APPOINTMENT OF ALETHEA SPEARMAN TO THE AFFORDABLE HOUSING TRUST FUND BOARD. TERM EXPIRES DECEMBER 31, 2011.

Status:-On Council Agenda - Consent Calendar
Committee:-Contracts and Appointments

22--AP012010JM APPOINTMENT OF JIM MIMS TO THE AFFORDABLE HOUSING TRUST FUND BOARD. TERM EXPIRES DECEMBER 31, 2011.

Status:-On Council Agenda - Consent Calendar
Committee:-Contracts and Appointments

23--AP012009KD APPOINTMENT OF KEVIN DUNLAP TO THE AFFORDABLE HOUSING TRUST FUND BOARD. TERM EXPIRES DECEMBER 31, 2012.

Status:-On Council Agenda - Consent Calendar
Committee:-Contracts and Appointments

24--AP012010CM APPOINTMENT OF CHRISTY MCCRAVY TO THE AFFORDABLE HOUSING TRUST FUND BOARD. TERM EXPIRES DECEMBER 31, 2012.

Status:-On Council Agenda - Consent Calendar
Committee:-Contracts and Appointments

25--AP012010KT APPOINTMENT OF KEN THIENEMAN TO THE AFFORDABLE HOUSING TRUST FUND BOARD. TERM EXPIRES DECEMBER 31, 2012.

Status:-On Council Agenda - Consent Calendar
Committee:-Contracts and Appointments

26--AP012010MG APPOINTMENT OF MICHAEL GARDNER TO THE AFFORDABLE HOUSING TRUST FUND BOARD. TERM EXPIRES DECEMBER 31, 2012.

Status:-On Council Agenda - Consent Calendar
Committee:-Contracts and Appointments

27--AP012010WD APPOINTMENT OF WILLIAM DENARDI TO THE CITIZENS COMMISSION ON POLICE ACCOUNTABILITY FOR LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT BOARD. TERM EXPIRES MARCH 21, 2011.

Status:-On Council Agenda - Consent Calendar
Committee:-Contracts and Appointments

28--AP012010CC APPOINTMENT OF CAROL COBB TO THE DOMESTIC VIOLENCE PREVENTION COORDINATING COUNCIL. TERM EXPIRES DECEMBER 31, 2011.

Status:-On Council Agenda - Consent Calendar
Committee:-Contracts and Appointments

29--RP012010AN RE-APPOINTMENT OF ANN NAVILLE TO THE DOWNTOWN MANAGEMENT DISTRICT BOARD. TERM EXPIRES DECEMBER 31, 2012.

Status:-On Council Agenda - Consent Calendar

Committee:-Contracts and Appointments

30--RP012010LS RE-APPOINTMENT OF LOUIS STRAUB, II TO THE DOWNTOWN MANAGEMENT DISTRICT BOARD. TERM EXPIRES DECEMBER 31, 2012.

Status:-On Council Agenda - Consent Calendar

Committee:-Contracts and Appointments

31--RP012010BD RE-APPOINTMENT OF BRENT DENSFORD TO THE DOWNTOWN MANAGEMENT DISTRICT BOARD. TERM EXPIRES DECEMBER 31, 2012.

Status:-On Council Agenda - Consent Calendar

Committee:-Contracts and Appointments

32--RP012010CC RE-APPOINTMENT OF CARLA CATES TO THE DOWNTOWN MANAGEMENT DISTRICT BOARD. TERM EXPIRES DECEMBER 31, 2012.

Status:-On Council Agenda - Consent Calendar

Committee:-Contracts and Appointments

33--RP012010CC RE-APPOINTMENT OF CHRIS CIEMINSKI TO THE DOWNTOWN MANAGEMENT DISTRICT BOARD. TERM EXPIRES DECEMBER 31, 2012.

Status:-On Council Agenda - Consent Calendar

Committee:-Contracts and Appointments

34--RP012010ES RE-APPOINTMENT OF EDWIN PHILLIP SCHERER, III TO THE DOWNTOWN MANAGEMENT DISTRICT BOARD. TERM EXPIRES DECEMBER 31, 2012.

Status:-On Council Agenda - Consent Calendar

Committee:-Contracts and Appointments

35--RP012010RS RE-APPOINTMENT OF RUSSELL SMITH TO THE DOWNTOWN MANAGEMENT DISTRICT BOARD. TERM EXPIRES DECEMBER 31, 2012.

Status:-On Council Agenda - Consent Calendar

Committee:-Contracts and Appointments

36--RP012010SM RE-APPOINTMENT OF SAMUEL CARR MOSELEY TO THE DOWNTOWN MANAGEMENT DISTRICT BOARD. TERM EXPIRES DECEMBER 31, 2012.

Status:-On Council Agenda - Consent Calendar

Committee:-Contracts and Appointments

37--AP012010TE APPOINTMENT OF TIMOTHY EIFLER TO THE DOWNTOWN MANAGEMENT DISTRICT BOARD. TERM EXPIRES DECEMBER 31, 2012.

Status:-On Council Agenda - Consent Calendar

Committee:-Contracts and Appointments

38--AP012010BG APPOINTMENT OF BELINDA GATES TO THE DOWNTOWN MANAGEMENT DISTRICT BOARD. TERM EXPIRES DECEMBER 31, 2012.

Status:-On Council Agenda - Consent Calendar

Committee:-Contracts and Appointments

39--AP012010MS APPOINTMENT OF MEHRZAD SHARBAIANI TO THE DOWNTOWN MANAGEMENT DISTRICT BOARD. TERM EXPIRES DECEMBER 31, 2012.

Status:-On Council Agenda - Consent Calendar

Committee:-Contracts and Appointments

40--AP012010BW APPOINTMENT OF BRAD WALKER TO THE DOWNTOWN MANAGEMENT DISTRICT BOARD. TERM EXPIRES DECEMBER 31, 2012.

Status:-On Council Agenda - Consent Calendar

Committee:-Contracts and Appointments

41--AP012010EH APPOINTMENT OF EARL "CHIP" HAMM, JR. TO THE LOUISVILLE & JEFFERSON COUNTY LIBRARY ADVISORY COMMISSION. TERM EXPIRES DECEMBER 31, 2011.

Status:-On Council Agenda - Consent Calendar

Committee:-Contracts and Appointments

42--RP012010YN RE-APPOINTMENT OF YUNG NGUYEN TO THE LOUISVILLE & JEFFERSON COUNTY LIBRARY ADVISORY COMMISSION. TERM EXPIRES DECEMBER 31, 2011.

Status:-On Council Agenda - Consent Calendar

Committee:-Contracts and Appointments

43--AP012010CM APPOINTMENT OF CAROL MULLINS TO THE LOUISVILLE & JEFFERSON COUNTY LIBRARY ADVISORY COMMISSION. TERM EXPIRES DECEMBER 31, 2012.

Status:-On Council Agenda - Consent Calendar

Committee:-Contracts and Appointments

44--RP012010SA RE-APPOINTMENT OF STEPHEN AMSLER TO THE LOUISVILLE & JEFFERSON COUNTY LIBRARY ADVISORY COMMISSION. TERM EXPIRES FEBRUARY 28, 2012.

Status:-On Council Agenda - Consent Calendar

Committee:-Contracts and Appointments

45--RP012010TT RE-APPOINTMENT OF TAD THOMAS TO THE LOUISVILLE & JEFFERSON COUNTY LIBRARY ADVISORY COMMISSION. TERM EXPIRES OCTOBER 31, 2012.

Status:-On Council Agenda - Consent Calendar

Committee:-Contracts and Appointments

46--RP012010DW RE-APPOINTMENT OF DEBORAH BENBERRY WILLIAMS TO THE LOUISVILLE & JEFFERSON COUNTY LIBRARY ADVISORY COMMISSION. TERM EXPIRES DECEMBER 31, 2012.

Status:-On Council Agenda - Consent Calendar

Committee:-Contracts and Appointments

47--RP012010JB RE-APPOINTMENT OF JACQUELINE HOLENKAMP BENTLEY TO THE LOUISVILLE & JEFFERSON COUNTY LIBRARY ADVISORY COMMISSION. TERM EXPIRES DECEMBER 31, 2012.

Status:-On Council Agenda - Consent Calendar

Committee:-Contracts and Appointments

48--RP012010RH RE-APPOINTMENT OF ROGER HENDERSON TO THE LOUISVILLE METRO CRIMINAL JUSTICE COMMISSION. TERM EXPIRES DECEMBER 31, 2010.

Status:-On Council Agenda - Consent Calendar

Committee:-Contracts and Appointments

49--RP012010RL RE-APPOINTMENT OF RICHARD LEWIS TO THE LOUISVILLE METRO CRIMINAL JUSTICE COMMISSION. TERM EXPIRES DECEMBER 31, 2010.

Status:-On Council Agenda - Consent Calendar

Committee:-Contracts and Appointments

50--AP012010LL APPOINTMENT OF LUCY LEE TO THE LOUISVILLE METRO CRIMINAL JUSTICE COMMISSION. TERM EXPIRES DECEMBER 31, 2011.

Status:-On Council Agenda - Consent Calendar

Committee:-Contracts and Appointments

51--RP012010JB RE-APPOINTMENT OF JUDGE JUDITH BARTHOLOMEW TO THE LOUISVILLE METRO CRIMINAL JUSTICE COMMISSION. TERM EXPIRES JUNE 30, 2011.

Status:-On Council Agenda - Consent Calendar

Committee:-Contracts and Appointments

52--RP012010BJ RE-APPOINTMENT OF BISHOP WALTER JONES, JR. TO THE LOUISVILLE METRO CRIMINAL JUSTICE COMMISSION. TERM EXPIRES JUNE 30, 2011.

Status:-On Council Agenda - Consent Calendar

Committee:-Contracts and Appointments

53--AP012010CM APPOINTMENT OF CHARLOTTE VAN METER TO THE LOUISVILLE METRO CRIMINAL JUSTICE COMMISSION. TERM EXPIRES JUNE 30, 2011.

Status:-On Council Agenda - Consent Calendar

Committee:-Contracts and Appointments

54--AP012010MM APPOINTMENT OF MARSHA MEYER TO THE EXTENSION BOARD. TERM EXPIRES JANUARY 1, 2013.

Status:-On Council Agenda - Consent Calendar

Committee:-Contracts and Appointments

55--AP012010GG APPOINTMENT OF GEORGE GAGEL TO THE EXTENSION BOARD. TERM EXPIRES JANUARY 1, 2013.

Status:-On Council Agenda - Consent Calendar

Committee:-Contracts and Appointments

56--RP012010CA RE-APPOINTMENT OF CHARLES E. ALLGEIER TO THE HISTORIC LANDMARKS AND PRESERVATION DISTRICTS COMMISSION. TERM EXPIRES NOVEMBER 30, 2011.

Status:-On Council Agenda - Consent Calendar

Committee:-Contracts and Appointments

57--RP012010SK RE-APPOINTMENT OF SCOTT E. KRAMER TO THE HISTORIC LANDMARKS AND PRESERVATION DISTRICTS COMMISSION. TERM EXPIRES NOVEMBER 30, 2011.

Status:-On Council Agenda - Consent Calendar
Committee:-Contracts and Appointments

58--RP012010RV RE-APPOINTMENT OF ROBERT VICE TO THE HISTORIC LANDMARKS AND PRESERVATION DISTRICTS COMMISSION. TERM EXPIRES NOVEMBER 30, 2010.

Status:-On Council Agenda - Consent Calendar
Committee:-Contracts and Appointments

59--RP012010RC RE-APPOINTMENT OF ROGER CONWELL, JR. TO THE LOUISVILLE/JEFFERSON COUNTY METRO REVENUE COMMISSION. TERM EXPIRES OCTOBER 1, 2010.

Status:-On Council Agenda - Consent Calendar
Committee:-Contracts and Appointments

60--RP012010RR RE-APPOINTMENT OF RUSSELL RIEDLING TO THE LOUISVILLE/JEFFERSON COUNTY METRO REVENUE COMMISSION. TERM EXPIRES OCTOBER 1, 2010.

Status:-On Council Agenda - Consent Calendar
Committee:-Contracts and Appointments

61--R-03-01-10 A RESOLUTION PURSUANT TO THE CAPITAL AND OPERATING BUDGET ORDINANCES, APPROVING THE APPROPRIATION TO FUND THE FOLLOWING NONCOMPETITIVELY NEGOTIATED NEW PROFESSIONAL SERVICE CONTRACT – (RATIO ARCHITECTS, INC. - \$25,000.00).

Status:-On Council Agenda - Consent Calendar
Committee:-Contracts and Appointments
Primary Sponsor:-George Unseld

62--R-04-01-10 A RESOLUTION PURSUANT TO THE CAPITAL AND OPERATING BUDGET ORDINANCES, APPROVING THE APPROPRIATION TO FUND THE FOLLOWING NONCOMPETITIVELY NEGOTIATED RENEWAL PROFESSIONAL SERVICE CONTRACT – (Catholic Charities of Louisville, Inc.- \$20,000.00).

Status:-On Council Agenda - Consent Calendar
Committee:-Contracts and Appointments
Primary Sponsor:-Rick Blackwell

63--R-07-01-10 A RESOLUTION PURSUANT TO THE CAPITAL AND OPERATING BUDGET ORDINANCES, APPROVING THE APPROPRIATION TO FUND THE FOLLOWING NONCOMPETITIVELY NEGOTIATED NEW PROFESSIONAL SERVICE CONTRACT – JAMES AUSTIN \$14,000.00.

Status:-On Council Agenda - Consent Calendar
Committee:-Contracts and Appointments
Primary Sponsor:-Barbara Shanklin

64--R-251-12-09 A RESOLUTION PURSUANT TO THE CAPITAL AND OPERATING BUDGET ORDINANCES, APPROVING THE APPROPRIATION TO FUND THE FOLLOWING NONCOMPETITIVELY NEGOTIATED RENEWAL PROFESSIONAL SERVICE CONTRACT - (DR. JAMES R. MCCAMMON, PH.D. - \$20,000.00).

Status:-On Council Agenda - Consent Calendar
Committee:-Contracts and Appointments

Primary Sponsor:-Vicki Aubrey Welch

65--R-08-01-10 A RESOLUTION PURSUANT TO THE CAPITAL AND OPERATING BUDGET ORDINANCES, APPROVING THE APPROPRIATION TO FUND THE FOLLOWING NONCOMPETITIVELY NEGOTIATED NEW PROFESSIONAL SERVICE CONTRACT - (CATHERINE R. MCBRIDE - \$21,000.00).

Status:-On Council Agenda - Consent Calendar

Committee:-Contracts and Appointments

Primary Sponsor:-Vicki Aubrey Welch

66--R-252-12-09 A RESOLUTION PURSUANT TO THE CAPITAL AND OPERATING BUDGET ORDINANCES, APPROVING THE APPROPRIATION TO FUND THE FOLLOWING NONCOMPETITIVELY NEGOTIATED NEW CONTRACT – (DECKER AND SONS, INC. - \$100,000.00).

Status:-On Council Agenda - Consent Calendar

Committee:-Contracts and Appointments

Primary Sponsor:-Rick Blackwell

67--R-253-12-09 A RESOLUTION PURSUANT TO THE CAPITAL AND OPERATING BUDGET ORDINANCES, APPROVING THE APPROPRIATION TO FUND THE FOLLOWING NONCOMPETITIVELY NEGOTIATED NEW CONTRACT – (EARNEST HUNTER D/B/A HUNTER CONSTRUCTION - \$100,000.00).

Status:-On Council Agenda - Consent Calendar

Committee:-Contracts and Appointments

Primary Sponsor:-Rick Blackwell

68--R-255-12-09 A RESOLUTION PURSUANT TO THE CAPITAL AND OPERATING BUDGET ORDINANCES, APPROVING THE APPROPRIATION TO FUND THE FOLLOWING NONCOMPETITIVELY NEGOTIATED NEW CONTRACT – (KENTUCKIANA INSULATION, LLC - \$100,000.00).

Status:-On Council Agenda - Consent Calendar

Committee:-Contracts and Appointments

Primary Sponsor:-Rick Blackwell

69--R-257-12-09 A RESOLUTION PURSUANT TO THE CAPITAL AND OPERATING BUDGET ORDINANCES, APPROVING THE APPROPRIATION TO FUND THE FOLLOWING NONCOMPETITIVELY NEGOTIATED NEW CONTRACT – (JOHN W. OTTO D/B/A J+M MECHANICAL - \$100,000.00).

Status:-On Council Agenda - Consent Calendar

Committee:-Contracts and Appointments

Primary Sponsor:-Jim King

70--R-258-12-09 A RESOLUTION PURSUANT TO THE CAPITAL AND OPERATING BUDGET ORDINANCES, APPROVING THE APPROPRIATION TO FUND THE FOLLOWING NONCOMPETITIVELY NEGOTIATED NEW CONTRACT – (ANTHONY CUNNINGHAM - \$100,000.00).

Status:-On Council Agenda - Consent Calendar

Committee:-Contracts and Appointments

Primary Sponsor:-Jim King

71--R-05-01-10 A RESOLUTION PURSUANT TO THE CAPITAL AND OPERATING BUDGET ORDINANCES, APPROVING THE APPROPRIATION TO FUND THE FOLLOWING

NONCOMPETITIVELY NEGOTIATED NEW CONTRACT – (NEW ALBANY HEATING, AIR CONDITIONING AND ELECTRICAL, INC. - \$100,000.00).

Status:-On Council Agenda - Consent Calendar

Committee:-Contracts and Appointments

Primary Sponsor:-Robert Henderson

72--R-06-01-10 A RESOLUTION PURSUANT TO THE CAPITAL AND OPERATING BUDGET ORDINANCES, APPROVING THE APPROPRIATION TO FUND THE FOLLOWING NONCOMPETITIVELY NEGOTIATED NEW CONTRACT – (ENERGY EFFICIENT HOMES OF KENTUCKIANA, LLC - \$100,000.00).

Status:-On Council Agenda - Consent Calendar

Committee:-Contracts and Appointments

Primary Sponsor:-Robert Henderson

73--O-233-12-09 AN ORDINANCE CHANGING THE NAME OF WHITE BLOSSOM PLACE, FROM ITS WESTERN INTERSECTION WITH NORTH HURSTBOURNE PARKWAY TO ITS INTERSECTION WITH GARWOOD PLACE, TO GARWOOD PLACE, SAID STREET BEING IN LOUISVILLE METRO (CASE NO. 13458). (May 19, 2010)

Status:-On Council Agenda - Consent Calendar

Committee:-Planning/Zoning, Land Design & Development

Primary Sponsor:-Tom Owen

74--O-11-01-10 AN ORDINANCE AMENDING CHAPTER 1, SECTION 2 OF THE LAND DEVELOPMENT CODE PERTAINING TO THE DEFINITIONS OF "DWELLING UNIT," "FAMILY," "BOARDING AND LODGING HOME," AND "BED AND BREAKFAST." (CASE NO. 13391). (May 19, 2010)

Status:-On Council Agenda - Consent Calendar

Committee:-Planning/Zoning, Land Design & Development

Primary Sponsor:-Tom Owen

75--R-09-01-10 A RESOLUTION PURSUANT TO THE CAPITAL AND OPERATING BUDGET ORDINANCES, APPROVING THE APPROPRIATION TO FUND THE FOLLOWING NONCOMPETITIVELY NEGOTIATED NEW PROFESSIONAL SERVICE CONTRACT - (PRESBYTERIAN COMMUNITY CENTER, JOHN LITTLE, FOUNDER - \$12,000.00).

Status:-On Council Agenda - Consent Calendar

Committee:-Contracts and Appointments

Primary Sponsor:-David Tandy

Item 76 and 77 moved to Old Business.

PRESIDENT OWEN: May I have a motion for approval?

COUNCILMAN DOWNARD: Motion to approve.

COUNCILMAN PEDEN: Second.

PRESIDENT OWEN: Consent calendar has been properly moved and seconded and requires a roll call vote, Madam Clerk, please open the voting.

Voting Result: Consent Calendar

JUDY GREEN: YES

BARBARA SHANKLIN: YES
 MARY WOOLRIDGE: YES
 DAVID TANDY: YES
 CHERI BRYANT HAMILTON: YES
 GEORGE UNSELD: EXCUSED ABSENCE
 KEN FLEMING: YES
 PRESIDENT TOM OWEN: YES
 TINA WARD-PUGH: YES
 JIM KING: YES
 KEVIN KRAMER: YES
 RICK BLACKWELL: YES
 VICKI WELCH: YES
 BOB HENDERSON: YES
 MARIANNE BUTLER: YES
 KELLY DOWNARD: YES
 GLEN STUCKEL: YES
 JON ACKERSON: YES
 HAL HEINER: YES
 STUART BENSON: YES
 DAN JOHNSON: YES
 ROBIN ENGEL: YES
 JAMES PEDEN: YES
 MADONNA FLOOD: YES
 DOUG HAWKINS: YES
 BRENT ACKERSON: YES

CLERK: There are 25 Yes votes and one not voting; Councilman Unsel who is excused.

PRESIDENT OWEN: Thank you. **The consent calendar passes.**

Madam Clerk, a reading of Item No. 76.

76--AP012010MG APPOINTMENT OF MARLENE GORDON TO THE LOUISVILLE METRO CRIMINAL JUSTICE COMMISSION. TERM EXPIRES DECEMBER 31, 2011.

Status:-On Council Agenda - Consent Calendar

Committee:-Contracts and Appointments

COUNCILMAN BENSON: Motion to approve.

COUNCILMAN STUCKEL: Second.

PRESIDENT OWEN: This item has been properly moved and seconded.

Is there discussion? Councilman Benson.

COUNCILMAN BENSON: Mr. President, Item 76 is an appointment of Marlene Gordon to the Criminal Justice Commission.

Ms. Gordon was also appointed to the Affordable Housing Trust Board. Metro Code of Ordinance Section 32.200 states the following. Persons to serve on only one board or commission unless the Metro Council and the Mayor declared that it shall henceforth be the policy of the Metro Government that a person should not have the same time served on another unless such service is expressly authorized by the ordinance or state statute.

Because of the appointment doesn't meet the criteria, the service on both boards, the administration has requested that Mrs. Gordon's name be withdrawn as an appointment to the Criminal Justice Commission

and remain an appointment to the Affordable Housing Trust Board they will rename the position at a later date.

PRESIDENT OWEN: Thank you the appointment to the criminal justice commission is voided at the request of the administration for the reasons stated by Councilman Benson.
Councilman Peden.

COUNCILMAN PEDEN: I'm reading the screen and it says the second on this motion was by George.

CLERK GRISSETT: That is because -- His name will not come up so I put -- I wrote his name down so I would know it was him.

PRESIDENT OWEN: Thank you Councilman Peden.

We have been -- we have then voided the appointment to the Criminal Justice Commission for Ms. Gordon for the reasons stated by Mr. Benson.
Madam Clerk, a reading of Item 77.

77--R-244-12-09 A RESOLUTION PURSUANT TO THE CAPITAL AND OPERATING BUDGET ORDINANCES, APPROVING THE APPROPRIATION TO FUND THE FOLLOWING NONCOMPETITIVELY NEGOTIATED RENEWAL PROFESSIONAL SERVICE CONTRACT – JEFFERSON COUNTY BOARD OF EDUCATION (JCPS ADULT EDUCATION) - \$10,800.00.

Status:-On Council Agenda - Consent Calendar

Committee:-Contracts and Appointments

Primary Sponsor:-Barbara Shanklin

PRESIDENT OWEN: May I have a motion?

COUNCILWOMAN WOOLRIDGE: Motion to approve.

COUNCILMAN PEDEN: Second.

PRESIDENT OWEN: This item has been properly moved and seconded.

Is there any discussion? Mr. Benson.

COUNCILMAN BENSON: Thank you, Mr. President.

Item 77 is a resolution approving a contract for JCPS. A question was raised after the committee meeting and it was discovered that the end dates need to be changed from 8/31/09 to 2/28/10 on the resolution document and the number of hours needed to be changed from 20 to 27 on the amendment to the agreement document. The proposed amended resolution and agreements are uploaded on Sire system for you. Mr. President, I move this amendment.

COUNCILMAN PEDEN: Second.

PRESIDENT OWEN: So we have a motion for that amendment and a second.

It's been properly moved and seconded. Is there any further discussion?

Hearing none, the amendment calls for a voice vote.

All those in favor signify by saying aye.

ALL PRESENT: AYE

PRESIDENT OWEN: All opposed by like sign.

The ayes have it. **The amendment passes.**

We now have the amended resolution before us. Is there any further discussion?

Hearing none, the amended resolution calls for a voice vote.

All those in favor signify by saying aye.

ALL PRESENT: AYE

PRESIDENT OWEN: All opposed by like sign.

The ayes have it.

The resolution is amended is passed.

Madam Clerk, a reading of Item 78.

78--R-249-12-09 A RESOLUTION ENCOURAGING THE KENTUCKY GENERAL ASSEMBLY TO AMEND KRS 67C.105(6) REGARDING A VACANCY IN THE OFFICE OF LOUISVILLE METRO MAYOR. (AS AMENDED)

Status:-On Council Agenda - Old Business

Committee:-Government Accountability & Oversight

Primary Sponsor:-Mary C. Woolridge

PRESIDENT OWEN: I don't think we need a motion.

This item was postponed to this meeting and does not need a motion because it was postponed to a date certain. And so the item is before us. Is there any discussion? Councilwoman Woolridge.

COUNCILWOMAN WOOLRIDGE: Thank you, Mr. President.

I would like to ask all my colleagues tonight to vote on this amendment -- I mean to vote on this resolution. I would like for it to remain intact as originally introduced.

If there's any additions or changes that any of my colleagues would like to submit for consideration, it should have been done earlier.

I also would like the resolution limiting consecutive terms that the Mayor of Louisville may stand to serve alone. And I would like approval of this resolution before the House adjourns this year. I would like to get this up there. I think, Mr. President, we probably should have thought about this years ago.

If something God forbid what would happen to our Mayor, what would we do?

So this is what this resolution is about in the event something happened to our Mayor that someone would be in charge, an elected official. And I would like support on this resolution. Thank you.

PRESIDENT OWEN: Is there any further discussion? Yes, Mr. Downard.

COUNCILMAN DOWNARD: Thank you, Mr. President.

This was kind of my idea a long time ago and my colleague from District 3 came up with a better way to do it so I opted out and supported hers.

She was not at the meeting -- last meeting but the County attorney was at that meeting if my colleagues will remember indicated the way it was written, it was indicating that the president of the Council would fill the duties of the Mayor and the Council at the same time. He thought that was a problem.

So if you would look at your documents and look at either one of two of them one the Resolution 249 floor amendment or the second one which says Resolution 249 Mayor vacancy.

What they did to accomplish the objective that Councilwoman Woolridge intended and I support is that they scratched you will see in the second line the words that said then the president of the Metro Council shall serve as acting Mayor which was the problem.

You can't be a Council Member and a Mayor at the same time.

Until the members of the legislative Council are able to hold an election to fill the vacancy.

That was taken out.

And what was put in was that the presiding officer, assuming the Council president of the legislative body of the consolidated local Government shall administer the duties of the office of Mayor. So he would take over all of the duties but not be the Mayor and I think those were the keywords they wanted changed until the legislative body is able to hold the election for the unexpired term.

That was the language that didn't change.

That stayed in there.

It was merely something done by the County attorney not by any of us.

And I think we -- I especially promised Councilwoman Woolridge that I would get this passed out last meeting and I failed but it wasn't because I didn't try it's because I wasn't a lawyer. But I would think I would make the amendments they have proposed to this I make a motion to do this and ask for a second and then we can get this out because I think the Councilwoman's intention of getting this to Frankfort.

PRESIDENT OWEN: Madam Clerk, this was a committee amendment made.

CLERK: No, sir. This amendment that Councilman Downard is reading was passed as a floor amendment at the December 17th 2009 meeting.

COUNCILMAN DOWNARD: Because I got a copy of it.

Because I got a copy and I didn't know he had it written out at the meeting.

CLERK: So what you have as the very first item is what is before us as passed by the Council on the 17th. What she is trying to accomplish is right there all we have to do is vote -- we don't have to have an amendment is basically what I'm saying.

We are looking at the entire floor amended version that was done on the 17th.

And Councilwoman Woolridge asked that it be postponed to January 28th because she would not be at the January 7th meeting.

COUNCILMAN DOWNARD: Am I the only one that remembers this long conversation that we had with the County attorney at the last meeting.

CLERK: It wasn't the last meeting. That was the election of the president.

COUNCILMAN DOWNARD: We held this after I promised we would get it out.

PRESIDENT OWEN: So the bottom line, Madam Clerk, and Mr. Downard is there's strong belief on the clerk's part that the amendment was made at the committee level in December.

CLERK: No, at the Council level on the 17th of December.

PRESIDENT OWEN: Oh, I see it was made at the Council level. I understand. All right.

Any further discussion, Mr. Stuckel.

COUNCILMAN STUCKEL: I'm a little bit confused.

Is the language that Councilman Downard was just talking about --

COUNCILMAN DOWNARD: It's in there.

COUNCILMAN STUCKEL: Shall administer the duties.

PRESIDENT OWEN: That's correct. Councilwoman Woolridge.

COUNCILWOMAN WOOLRIDGE: Yes, I was just going to say this is not discussed at the first Council meeting because it was date specific which is tonight. I knew I would miss the first meeting in January. And again, I would like to thank my colleague, Councilman Downard for all his support and for withdrawing his resolution some time ago since my resolution as he said in his own words was the better one.

COUNCILMAN DOWNARD: It was better. And it hurts me to say it. But it was.

COUNCILWOMAN WOOLRIDGE: Thank you, Mr. President.

PRESIDENT OWEN: Any further discussion, colleagues?

All right then hearing none the amended resolution calls for a voice vote.

All those in favor signify by saying aye.

ALL PRESENT: AYE

PRESIDENT OWEN: All opposed by like sign?

The ayes have it.

The resolution as amended passes.

Madam Clerk, a reading of Item 79.

79--O-230-12-09 AN ORDINANCE CHANGING THE ZONING FROM R-5, SINGLE-FAMILY RESIDENTIAL TO R5-A, MULTI-FAMILY RESIDENTIAL ON PROPERTY LOCATED AT 2114 AND 2116 EDGEHILL ROAD, CONTAINING 1.0 ACRES, OF WHICH 0.68 ACRES ARE PROPOSED TO BE REZONED AND BEING IN LOUISVILLE METRO (CASE NO. 12669). (Feb. 19, 2010)

Status:-On Council Agenda - Old Business

Committee:-Planning/Zoning, Land Design & Development

Primary Sponsor:-Tom Owen

PRESIDENT OWEN: May I have a motion for approval?

COUNCILMAN PEDEN: Motion to approve.

COUNCILWOMAN BUTLER: Second.

And there's a second.

This item has been properly moved and seconded.

Is there any discussion?

Yes, Councilman Jon Ackerson.

COUNCILMAN JON ACKERSON: Yes, Mr. President, members of the Council, this is a rezoning of a 5A multi-family residential area to permit a seven unit condominium complex of 0.68 acres on the subject property existing structure on the site is historical in nature and culture and historic preservation staff recommended to us that this site be on the local landmark designation which has been accomplished. The conversion of the existing mansion and carriage house into a proposed condominium complex

appears to be a significant improvement to the site area.

The potential impacts of the development in respect of the complexity issues associated with the historical and cultural features of this site are of significant importance and we urge adoption and passage of this ordinance.

PRESIDENT OWEN: Any other discussion?

Colleagues, I do need to explain my abstention on this issue.

This rezoning is in my District. But unfortunately, I need to abstain because I expressed an opinion in a public setting some months back on this issue that was inappropriate expression.

And so I need to abstain from voting on this item. Any further discussion?

Hearing none, the ordinance requires a roll call vote.

Madam Clerk, please open the voting.

Voting Result: Item 79

JUDY GREEN: YES

BARBARA SHANKLIN: YES

MARY WOOLRIDGE: YES

DAVID TANDY: YES

CHERI BRYANT HAMILTON: NOT VOTING

GEORGE UNSELD: EXCUSED ABSENCE

KEN FLEMING: YES

PRESIDENT TOM OWEN: ABSTAIN

TINA WARD-PUGH: YES

JIM KING: YES

KEVIN KRAMER: YES

RICK BLACKWELL: YES

VICKI WELCH: YES

BOB HENDERSON: YES

MARIANNE BUTLER: YES

KELLY DOWNARD: YES

GLEN STUCKEL: YES

JON ACKERSON: YES

HAL HEINER: YES

STUART BENSON: YES

DAN JOHNSON: YES

ROBIN ENGEL: YES

JAMES PEDEN: NOT VOTING

MADONNA FLOOD: YES

DOUG HAWKINS: YES

BRENT ACKERSON: YES

CLERK: There are 22 yes votes, one abstention from President Owen and three not voting,

Councilwoman Hamilton, Councilman Unsel and Councilman Peden.

PRESIDENT OWEN: **The ordinance passes.**

Madam Clerk, a reading of Item 80.

80--O-234-12-09 AN ORDINANCE CHANGING THE ZONING FROM R-4, SINGLE-FAMILY RESIDENTIAL TO PEC, PLANNED EMPLOYMENT CENTER ON PROPERTY LOCATED AT 2909 BLANKENBAKER ROAD, CONTAINING 20.16 ACRES AND BEING IN LOUISVILLE METRO (CASE NO. 11275). (March 19, 2010)

Status:-On Council Agenda - Old Business
Committee:-Planning/Zoning, Land Design & Development
Primary Sponsor:-Tom Owen

COUNCILWOMAN WOOLRIDGE: Motion to approve
 COUNCILWOMAN SHANKLIN: Second.

PRESIDENT OWEN: This item has been properly moved and seconded.
 Is there discussion? Yes, Councilman Jon Ackerson.

COUNCILMAN JON ACKERSON: Mr. President, members of the Council. The subject site consists of one parcel of 20.16 acres in the Suburban Workplace Form District with frontage on both Blankenbaker Parkway and Blankenbaker Road. The applicant is proposing in this zoning change to go from R4 to PEC and construct an office warehouse. A residential structure is on this property which will be removed. We urge passage.

PRESIDENT OWEN: This is in Councilman Benson's district.
 Would you like to comment?

COUNCILMAN BENSON: This is adequate use of the property. And I encourage everybody to vote yes on this. Thank you.

PRESIDENT OWEN: Thank you.
 Is there any further discussion?
 Hearing none, the ordinance requires a roll call vote.
 Madam Clerk, please open the voting.

Voting Result: Item 80

JUDY GREEN: YES
 BARBARA SHANKLIN: YES
 MARY WOOLRIDGE: YES
 DAVID TANDY: YES
 CHERI BRYANT HAMILTON: NOT VOTING
 GEORGE UNSELD: EXCUSED ABSENCE
 KEN FLEMING: YES
 PRESIDENT TOM OWEN: YES
 TINA WARD-PUGH: YES
 JIM KING: YES
 KEVIN KRAMER: YES
 RICK BLACKWELL: YES
 VICKI WELCH: YES
 BOB HENDERSON: YES
 MARIANNE BUTLER: YES
 KELLY DOWNARD: YES
 GLEN STUCKEL: YES
 JON ACKERSON: YES

HAL HEINER: YES
 STUART BENSON: YES
 DAN JOHNSON: YES
 ROBIN ENGEL: YES
 JAMES PEDEN: NOT VOTING
 MADONNA FLOOD: YES
 DOUG HAWKINS: YES
 BRENT ACKERSON: YES

CLERK: There are 23 yes votes and three members not voting;
 Councilwoman Hamilton, Councilman Unseld and Councilman Peden.

PRESIDENT OWEN: The ordinance passes.

Madam Clerk, a reading of Item 81.

81--O-9-01-10 AN ORDINANCE CHANGING THE ZONING FROM R-6, MULTI-FAMILY RESIDENTIAL
 TO R-7, MULTI-FAMILY RESIDENTIAL ON PROPERTY LOCATED AT 1043-1045 EAST
 WASHINGTON STREET, CONTAINING 5,471 SQUARE FEET, AND BEING IN LOUISVILLE METRO
 (CASE NO. 9884). (March 3, 2010)

Status:-On Council Agenda - Old Business

Committee:-Planning/Zoning, Land Design & Development

Primary Sponsor:-Tom Owen

PRESIDENT OWEN: Thank you, may I have a motion for approval.

COUNCILWOMAN WOOLRIDGE: Motion to approve.

COUNCILWOMAN SHANKLIN: Second.

PRESIDENT OWEN: This item has been properly moved and seconded.

Is there discussion Councilman Ackerson?

COUNCILMAN JON ACKERSON: Mr. President, members of the Council, the applicant requests
 approval of a zoning change from R-7 multi-family residential to construct a 2500 square foot building to
 contain four condominium units. The site is currently vacant and lies within the industrial character area
 of the Butchertown preservation District and has been placed by the Landmark Commission on the
 Butchertown preservation District. Urge passage.

PRESIDENT OWEN: Thank you, Councilman Tandy this is in your District. Would you like to comment?

COUNCILMAN TANDY: Yes, I would encourage the passage and approval of this ordinance.

Thank you.

PRESIDENT OWEN: All right. Thank you. Is there any further discussion?

If not, the ordinance requires a roll call vote. Madam Clerk, please open the voting.

Voting Result: Item 81

JUDY GREEN: YES
 BARBARA SHANKLIN: YES
 MARY WOOLRIDGE: YES
 DAVID TANDY: YES
 CHERI BRYANT HAMILTON: NOT VOTING
 GEORGE UNSELD: EXCUSED ABSENCE

KEN FLEMING: YES
 PRESIDENT TOM OWEN: YES
 TINA WARD-PUGH: YES
 JIM KING: YES
 KEVIN KRAMER: YES
 RICK BLACKWELL: YES
 VICKI WELCH: YES
 BOB HENDERSON: YES
 MARIANNE BUTLER: YES
 KELLY DOWNARD: YES
 GLEN STUCKEL: YES
 JON ACKERSON: YES
 HAL HEINER: YES
 STUART BENSON: YES
 DAN JOHNSON: YES
 ROBIN ENGEL: YES
 JAMES PEDEN: NOT VOTING
 MADONNA FLOOD: YES
 DOUG HAWKINS: YES
 BRENT ACKERSON: YES

CLERK: There are 23 yes votes and three members not voting;
 Councilwoman Hamilton Councilman Unseld and Councilman Peden
 PRESIDENT OWEN: **The ordinance passes.**

Madam Clerk, a reading of Item 82.

82--O-10-01-10 AN ORDINANCE CHANGING THE ZONING FROM R-4, SINGLE-FAMILY
 RESIDENTIAL TO R5-A, MULTI-FAMILY RESIDENTIAL ON PROPERTY LOCATED AT 400 SHELBY
 STATION DRIVE, CONTAINING 17.3 ACRES, AND BEING IN LOUISVILLE METRO (CASE NO. 12573).
 (March 3, 2010)

Status:-On Council Agenda - Old Business
Committee:-Planning/Zoning, Land Design & Development
Primary Sponsor:-Tom Owen

PRESIDENT OWEN: Thank you. May I have a motion?

COUNCILWOMAN WOOLRIDGE: Motion to approve.

COUNCILMAN JOHNSON: Second.

This item has been properly moved and seconded.

Is there discussion? Mr. Ackerson.

COUNCILMAN JON ACKERSON: Mr. President, members of the commission, the commission of this
 body. The developer here is costing of a site of four parcels located at 13910, Shelbyville Road as well as
 1, 300 and 400 Shelby Station Drive. The applicant is requesting our approval to rezone lot 3 of the
 development site from R-4 single family to an existing of 60 units in the specific area of the 400 Shelby
 Station Drive within the development site. I would urge passage of this ordinance change, rezoning
 change.

PRESIDENT OWEN: Councilman Heiner. It's in your District would you like to comment.

COUNCILMAN HEINER: Thank you, Mr. President.

This is an expansion of an existing senior care facility.

This group not only does a beautiful job maintaining their facility but they are a great neighbor, as well.

Very responsive to people living next to them. So I would urge a yes vote.

PRESIDENT OWEN: All right. Thank you. Any further discussion?

Hearing none the ordinance requires a roll call vote, Madam Clerk, please open the voting.

Councilwoman Green? Are you voting?

Voting Result: Item 82

JUDY GREEN: YES

BARBARA SHANKLIN: YES

MARY WOOLRIDGE: YES

DAVID TANDY: YES

CHERI BRYANT HAMILTON: NOT VOTING

GEORGE UNSELD: EXCUSED ABSENCE

KEN FLEMING: YES

PRESIDENT TOM OWEN: YES

TINA WARD-PUGH: YES

JIM KING: YES

KEVIN KRAMER: YES

RICK BLACKWELL: YES

VICKI WELCH: YES

BOB HENDERSON: YES

MARIANNE BUTLER: YES

KELLY DOWNARD: YES

GLEN STUCKEL: YES

JON ACKERSON: YES

HAL HEINER: YES

STUART BENSON: YES

DAN JOHNSON: YES

ROBIN ENGEL: YES

JAMES PEDEN: NOT VOTING

MADONNA FLOOD: YES

DOUG HAWKINS: YES

BRENT ACKERSON: YES

CLERK: There are 23 yes votes and three members not voting;

Councilwoman Hamilton Councilman Unsel and Councilman Peden

PRESIDENT OWEN: **The ordinance passes.**

NEW BUSINESS:

The next item of business is new business. New business comprises Items 83 through 121.

Madam Clerk, a reading of those items and their assignments to committee.

83--O-12-01-10 AN ORDINANCE APPROPRIATING \$16,000 FROM THE DISTRICT 19 NEIGHBORHOOD DEVELOPMENT FUND TO THE METRO PUBLIC WORKS AND ASSETS DEPARTMENT FOR THE SURVEY AND DESIGN PHASE OF THE SHELBYVILLE ROAD AND JUNEAU DRIVE DRAINAGE AND SIDEWALK PROJECT.

Status:-On Council Agenda - New Business

Committee:-Appropriations, NDFs and CIFs

Primary Sponsor:-Hal Heiner

84--O-13-01-10 AN ORDINANCE APPROPRIATING \$24,550 FROM DISTRICT 20 NEIGHBORHOOD DEVELOPMENT FUNDS, TO THE METRO PUBLIC WORKS AND ASSETS DEPARTMENT FOR THE PHASE 2 STUDY OF THE PDD TRAFFIC ANALYSES FOR TAYLORSVILLE ROAD, I-265/SNYDER FREEWAY AND THE URTON LANE CORRIDOR AREA.

Status:-On Council Agenda - New Business

Committee:-Appropriations, NDFs and CIFs

Primary Sponsor:-Stuart Benson

85--O-14-01-10 AN ORDINANCE APPROPRIATING \$21,000 FROM THE DISTRICT 11 NEIGHBORHOOD DEVELOPMENT FUND TO THE DEPARTMENT OF PUBLIC WORKS & ASSETS FOR SIDEWALK REPAIRS ON CROMARTY WAY, KAYE LAWN DRIVE, LANDSIDE DRIVE, WOODGATE LANE, POMEROY DRIVE, MANNNERGATE DRIVE, MANNERDALE DRIVE, WIMPOLE ROAD AND GINGERWOOD DRIVE.

Status:-On Council Agenda - New Business

Committee:-Appropriations, NDFs and CIFs

Primary Sponsor:-Kevin Kramer

86--O-19-01-10 AN ORDINANCE APPROPRIATING \$8,500 FROM NEIGHBORHOOD DEVELOPMENT FUNDS IN THE FOLLOWING MANNER: \$2,500 EACH FROM DISTRICTS 1 AND 16; \$1,500 FROM DISTRICT 3; \$1,000 EACH FROM DISTRICTS 25 AND 13, THROUGH THE OFFICE OF MANAGEMENT AND BUDGET, TO THE FAMILY & CHILDREN FIRST, INC. FOR THE "SAFE HAVENS" PROGRAM.

Status:-On Council Agenda - New Business

Committee:-Appropriations, NDFs and CIFs

Primary Sponsor:

- Doug Hawkins
- Vicki Aubrey Welch
- Judy Green
- Kelly Downard
- Mary C. Woolridge

87--O-18-01-10 AN ORDINANCE APPROPRIATING A TOTAL OF \$8,000 FROM THE NEIGHBORHOOD DEVELOPMENT FUNDS AS FOLLOWS: \$1000 EACH FROM DISTRICTS 14, 12, 13, 4, 15, AND 24; \$500 EACH FROM DISTRICTS 3, 8, 16, AND 21, THROUGH THE OFFICE OF MANAGEMENT AND BUDGET, TO THE AMERICAN CANCER SOCIETY, MID-SOUTH DIVISION INC., FOR SPONSORSHIP OF THEIR ANNUAL "RELAY FOR LIFE."

Status:-On Council Agenda - New Business

Committee:-Appropriations, NDFs and CIFs

Primary Sponsor:

- Tom Owen
- Marianne Butler
- Rick Blackwell
- Madonna Flood
- Mary C. Woolridge
- Robert Henderson
- Kelly Downard
- Dan Johnson
- David Tandy
- Vicki Aubrey Welch

88--O-15-01-10 AN ORDINANCE APPROPRIATING \$9,500 FROM NEIGHBORHOOD DEVELOPMENT FUNDS AS FOLLOWS: \$5000 FROM DISTRICT 21; \$2000 FROM DISTRICT 10; \$1000 FROM DISTRICT 16; \$500 EACH FROM DISTRICTS 20, 22, AND 3, THROUGH THE OFFICE OF

MANAGEMENT AND BUDGET, TO THE YMCA OF GREATER LOUISVILLE FOR THE YMCA SAFE PLACE SERVICES PROGRAM EXPENSES.

Status:-On Council Agenda - New Business
Committee:-Appropriations, NDFs and CIFs
Primary Sponsor:-Dan Johnson

89--O-17-01-10 AN ORDINANCE AMENDING ORDINANCE NO. 90, SERIES 2009 AND ORDINANCE NO. 91, SERIES 2009 RELATING TO THE FISCAL YEAR 2009-10 CAPITAL AND OPERATING BUDGET FOR THE LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT, BY TRANSFERRING \$50,000 FROM THE DISTRICT 4 CAPITAL INFRASTRUCTURE FUND TO THE DISTRICT 4 NEIGHBORHOOD DEVELOPMENT FUND.

Status:-On Council Agenda - New Business
Committee:-Budget
Primary Sponsor:-David Tandy

90--R-23-01-10 A RESOLUTION PERTAINING TO THE REVIEW OF FUTURE PAYMENT OF DUES TO THE KENTUCKY LEAGUE OF CITIES

Status:-On Council Agenda - New Business
Committee:-Budget
Primary Sponsor:-Kelly Downard

91--R-12-01-10 A RESOLUTION PURSUANT TO THE CAPITAL AND OPERATING BUDGET ORDINANCES, APPROVING THE APPROPRIATION TO FUND THE FOLLOWING NONCOMPETITIVELY NEGOTIATED AMENDMENT TO SOLE SOURCE CONTRACT – (EXPLORER SYSTEMS, INC. - \$20,000.00 FOR A NEW NOT-TO-EXCEED AMOUNT OF \$91,820.00).

Status:-On Council Agenda - New Business
Committee:-Contracts and Appointments
Primary Sponsor:-Jim King

92--R-13-01-10 A RESOLUTION PURSUANT TO THE CAPITAL AND OPERATING BUDGET ORDINANCES, APPROVING THE APPROPRIATION TO FUND THE FOLLOWING NONCOMPETITIVELY NEGOTIATED RENEWAL PROFESSIONAL SERVICE CONTRACT – AMEC EARTH & ENVIRONMENTAL INC. - \$50,000.00.

Status:-On Council Agenda - New Business
Committee:-Contracts and Appointments
Primary Sponsor:-Robert Henderson

93--R-17-01-10 A RESOLUTION PURSUANT TO THE CAPITAL AND OPERATING BUDGET ORDINANCES, APPROVING THE APPROPRIATION TO FUND THE FOLLOWING NONCOMPETITIVELY NEGOTIATED NEW CONTRACT – (GREEN HOME SERVICES AND REMODELING, LLC - \$100,000.00).

Status:-On Council Agenda - New Business
Committee:-Contracts and Appointments
Primary Sponsor:-Stuart Benson

94--R-20-01-10 A RESOLUTION PURSUANT TO THE CAPITAL AND OPERATING BUDGET ORDINANCES, APPROVING THE APPROPRIATION TO FUND THE FOLLOWING NONCOMPETITIVELY NEGOTIATED RENEWAL PROFESSIONAL SERVICE CONTRACT - (CTAP, LLC - \$87,000.00).

Status:-On Council Agenda - New Business
Committee:-Contracts and Appointments
Primary Sponsor:-Vicki Aubrey Welch

95--R-21-01-10 A RESOLUTION PURSUANT TO THE CAPITAL AND OPERATING BUDGET ORDINANCES, APPROVING THE APPROPRIATION TO FUND THE FOLLOWING NONCOMPETITIVELY NEGOTIATED NEW CONTRACT – (VINSON HEATING AND AIR, INC. - \$100,000.00).

Status:-On Council Agenda - New Business
Committee:-Contracts and Appointments
Primary Sponsor:-Judy Green

96--R-14-01-10 A RESOLUTION RATIFYING A PERFORMANCE BOND FOR THE LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT CLERK.

Status:-On Council Agenda - New Business
Committee:-Budget
Primary Sponsor:-Tom Owen

97--R-18-01-10 A RESOLUTION AUTHORIZING THE MAYOR TO ACCEPT AN \$80,000.00 GRANT FROM THE TIDES FOUNDATION FOR A PROJECT TO INCREASE THE EFFECTIVENESS OF CHRONIC DISEASE AND VIOLENCE PREVENTION EFFORTS.

Status:-On Council Agenda - New Business
Committee:-Health & Human Needs
Primary Sponsor:-Vicki Aubrey Welch

98-R-29-01-10 A RESOLUTION ENCOURAGING ALL CITIZENS AND RESIDENTS OF LOUISVILLE METRO TO SUPPORT THE RECOVERY OF HAITIAN EARTHQUAKE SURVIVORS FINANCIALLY AND MATERIALLY.

Status:-On Council Agenda - New Business
Committee:-Health & Human Needs
Primary Sponsor:-David Tandy

99--R-11-01-10 A RESOLUTION APPROVING A FORGIVABLE LOAN TO SAL LOUISVILLE, LLC PURSUANT TO ORDINANCE NO. 54 SERIES 2009 FOR THE CONSTRUCTION AND DEVELOPMENT OF A GROCERY AND RETAIL CENTER IN THE PARK DUVALLE TOWN CENTER.

Status:-On Council Agenda - New Business
Committee:-Labor & Economic Development
Primary Sponsor:-Mary C. Woolridge

100--R-15-01-10 A RESOLUTION AUTHORIZING THE MAYOR AND THE ECONOMIC DEVELOPMENT DEPARTMENT TO APPLY TO THE COMMONWEALTH OF KENTUCKY FOR AN ECONOMIC DEVELOPMENT BOND GRANT FOR THE BENEFIT OF SIGNATURE HEALTHCARE IN THE AMOUNT OF \$250,000 AND TO ACCEPT SAID GRANT IF AWARDED.

Status:-On Council Agenda - New Business
Committee:-Labor & Economic Development
Primary Sponsor:-David Tandy

101--R-26-01-10 A RESOLUTION CALLING ON METRO GOVERNMENT TO START SETTLEMENT TALKS REGARDING TAKE-HOME CAR FEES COLLECTED FROM METRO POLICE OFFICERS

Status:-On Council Agenda - New Business
Committee:-Labor & Economic Development
Primary Sponsor: -Hal Heiner
 -Kelly Downard
 -Kevin Kramer

102--R-27-01-10 A RESOLUTION DETERMINING ONE (1) VACANT PARCEL OF REAL PROPERTY LOCATED AT 600 S. PRESTON STREET OWNED BY LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT ("METRO GOVERNMENT") AS SURPLUS AND NO LONGER NEEDED FOR A GOVERNMENTAL PURPOSE AND AUTHORIZING THEIR TRANSFER.

Status:-On Council Agenda - New Business
Committee:-Labor & Economic Development
Primary Sponsor:-David Tandy

103--R-19-01-10 A RESOLUTION ENCOURAGING THE KENTUCKY GENERAL ASSEMBLY TO REQUIRE THAT ANY COMPOUND, MIXTURE OR PREPARATION CONTAINING ANY EPHEDRINE, PSEUDOEPHEDRINE, OR PHENYLPROPANOLAMINE, THEIR SALTS OR OPTICAL ISOMERS, ONLY BE DISTRIBUTED TO THE GENERAL PUBLIC THROUGH A PRESCRIPTION AUTHORIZED BY A MEDICALLY LICENSED PHYSICIAN.

Status:-On Council Agenda - New Business
Committee:-Public Safety
Primary Sponsor:-Vicki Aubrey Welch
Additional Sponsor:-Rick Blackwell
 -Robert Henderson
 -Cheri Bryant Hamilton

104--R-24-01-10 A RESOLUTION REQUESTING THE KENTUCKY SUPREME COURT AND THE JEFFERSON COUNTY DISTRICT COURT GENERAL TERM TO CREATE TWO (2) SEPARATE DOMESTIC VIOLENCE COURT DOCKETS.

Status:-On Council Agenda - New Business
Committee:-Public Safety
Primary Sponsor:-Vicki Aubrey Welch

105--R-28-01-10 A RESOLUTION REQUESTING THE KENTUCKY LEGISLATIVE RESEARCH COMMISSION (LRC) STUDY THE FEASIBILITY OF MERGING THE JEFFERSON COUNTY, KY SUBURBAN FIRE PROTECTION DISTRICTS WITH THE LOUISVILLE DIVISION OF FIRE.

Status:-On Council Agenda - New Business
Committee:-Public Safety
Primary Sponsor:-Dan Johnson

106--R-22-01-10 A RESOLUTION CALLING FOR THE ENACTMENT OF LEGISLATION AMENDING KRS CHAPTER 65 TO PERMIT THE CREATION OF REGIONAL WASTEWATER COMMISSIONS.

Status:-On Council Agenda - New Business
Committee:-Transportation/Public Works
Primary Sponsor: -Tina Ward-Pugh
 -Stuart Benson

107--O-20-01-10 AN ORDINANCE ADOPTING THE PLANNED DEVELOPMENT OPTION FOR PROPERTY LOCATED AT 736 S. JACKSON STREET, 519 AND 520 E. JACOB STREET, 724 MERCHANT COURT AND 760 S. HANCOCK STREET, ZONED UN, URBAN NEIGHBORHOOD, CONTAINING 21.94 ACRES, AND BEING IN LOUISVILLE METRO (CASE NO. 13419).

Status:-On Council Agenda - New Business
Committee:-Planning/Zoning, Land Design & Development
Primary Sponsor:-Jon Ackerson

108--O-22-01-10 AN ORDINANCE CHANGING THE ZONING FROM R-5, SINGLE-FAMILY RESIDENTIAL TO R-5B, RESIDENTIAL TWO-FAMILY ON PROPERTY LOCATED AT 4258 ALLMOND AVENUE, CONTAINING 5,994 SQUARE FEET, AND BEING IN LOUISVILLE METRO (CASE NO. 11171).

Status:-On Council Agenda - New Business
Committee:-Planning/Zoning, Land Design & Development
Primary Sponsor:-Jon Ackerson

109--O-23-01-10 AN ORDINANCE AMENDING CHAPTER 10 OF THE LAND DEVELOPMENT CODE PERTAINING TO TREE CANOPY, TREE PROTECTION AND ENFORCEMENT (CASE NO. 12266).

Status:-On Council Agenda - New Business
Committee:-Planning/Zoning, Land Design & Development
Primary Sponsor:-Jon Ackerson

110--O-24-01-10 AN ORDINANCE CHANGING THE ZONING FROM CN, NEIGHBORHOOD COMMERCIAL, TO C-1, COMMERCIAL ON PROPERTY LOCATED AT 7902 BARDSTOWN ROAD, CONTAINING A TOTAL OF 8.76 ACRES, OF WHICH 2.86 ACRES IS PROPOSED TO BE REZONED, AND BEING IN LOUISVILLE METRO (CASE NO. 12630).

Status:-On Council Agenda - New Business
Committee:-Planning/Zoning, Land Design & Development
Primary Sponsor:-Jon Ackerson

111--O-25-01-10 AN ORDINANCE CHANGING THE ZONING FROM M-2, INDUSTRIAL TO C-1, COMMERCIAL ON PROPERTY LOCATED AT 310-312 NEW VENTURE DRIVE, CONTAINING 17,250 SQUARE FEET, AND BEING IN LOUISVILLE METRO (CASE NO. 13027).

Status:-On Council Agenda - New Business
Committee:-Planning/Zoning, Land Design & Development
Primary Sponsor:-Jon Ackerson

112--O-26-01-10 AN ORDINANCE AMENDING SECTION 2.7.4 OF THE LAND DEVELOPMENT CODE PERTAINING TO THE TRADITIONAL NEIGHBORHOOD ZONING DISTRICT, AND UPDATING THE OLD LOUISVILLE TNZD PLAN REPORT (CASE NO. 13390).

Status:-On Council Agenda - New Business
Committee:-Planning/Zoning, Land Design & Development
Primary Sponsor:-Jon Ackerson

113--O-27-01-10 AN ORDINANCE ADOPTING THE PLANNED DEVELOPMENT OPTION FOR PROPERTY LOCATED AT 416-438 EAST KENTUCKY STREET AND 1000-1010 SOUTH JACKSON STREET, ZONED UN, URBAN NEIGHBORHOOD, CONTAINING 1.06 ACRES, AND BEING IN LOUISVILLE METRO (CASE NO. 13455).

Status:-On Council Agenda - New Business
Committee:-Planning/Zoning, Land Design & Development
Primary Sponsor:-Jon Ackerson

114--O-28-01-10 AN ORDINANCE CHANGING THE ZONING FROM R-6, MULTI-FAMILY RESIDENTIAL TO C-1, COMMERCIAL ON PROPERTY LOCATED AT 3145-R, 3147, 3151, 3153 AND 3155 SOUTH 3RD STREET, CONTAINING 0.66 ACRES, AND BEING IN LOUISVILLE METRO (CASE NO. 12897).

Status:-On Council Agenda - New Business

Committee:-Planning/Zoning, Land Design & Development

Primary Sponsor:-Jon Ackerson

115--O-29-01-10 AN ORDINANCE AMENDING ORDINANCE NO. 126 SERIES 2007, ORDINANCE NO. 90, SERIES 2009, AND ORDINANCE NO. 91, SERIES 2009, RELATING TO THE CAPITAL BUDGETS FOR FISCAL YEARS 2007-08, 2009-10, AND THE OPERATING BUDGET FOR 2009-10, RESPECTIVELY, FOR THE LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT BY TRANSFERRING \$46,000 OF CAPITAL CUMULATIVE RESERVE FUNDS (CAPITAL INFRASTRUCTURE FUND), NEIGHBORHOOD DEVELOPMENT FUNDS, AND FEE-IN-LIEU OF SIDEWALK FUNDS TO A NEW CAPITAL PROJECT TO INSTALL SIDEWALKS ON A PORTION OF SIX MILE LANE.

Status:-On Council Agenda - New Business

Committee:-Budget

Primary Sponsors: -Kevin Kramer
-Stuart Benson

116--R-25-01-10 A RESOLUTION PURSUANT TO THE CAPITAL AND OPERATING BUDGET ORDINANCES, APPROVING THE APPROPRIATION TO FUND THE FOLLOWING NONCOMPETITIVELY NEGOTIATED NEW CONTRACT – (ALVEY ELECTRIC PLUS, INC. - \$100,000.00).

Status:-On Council Agenda - New Business

Committee:-Contracts and Appointments

Primary Sponsor:-Robert Henderson

117--O-30-01-10 AN ORDINANCE APPROPRIATING \$5,000.00 FROM DISTRICT 21 NEIGHBORHOOD DEVELOPMENT FUNDS (NDF), THROUGH THE OFFICE OF MANAGEMENT AND BUDGET, TO C.H.O.I.C.E. (CHILDREN HAVE OPTIONS IN CHOOSING EXPERIENCES) INC., TO PROVIDE OPERATING EXPENSES FOR A "DARE TO DREAM" SISTERHOOD SPORTS LEADERSHIP AND MENTORING PROGRAM AT IROQUOIS HIGH SCHOOL DURING THE 2009-2010 SCHOOL YEAR, \$5000.00 HAVING ALREADY BEEN CONTRIBUTED FROM THE NDF OF DISTRICT 22 AT THE SEPTEMBER 3, 2009, APPROPRIATIONS COMMITTEE MEETING.

Status:-On Council Agenda - New Business

Committee:-Appropriations, NDFs and CIFs

Primary Sponsor:-Dan Johnson

118--R-30-01-10 A RESOLUTION APPROVING THE ASSIGNMENT AND SALE OF A CERTAIN LOAN TO MCCORMACK BARON AND ASSOCIATES, INC. PURSUANT TO ORDINANCE NO. 54 SERIES 2009.

Status:-On Council Agenda - New Business

Committee:-Budget

Primary Sponsor:-David Tandy

119--R-31-01-10 A RESOLUTION AUTHORIZING THE MAYOR TO ACCEPT A \$13,000.00 GRANT FROM THE KENTUCKIANA REGIONAL PLANNING AND DEVELOPMENT AGENCY TO SUPPORT SMOKING CESSATION EFFORTS.

Status:-On Council Agenda - New Business
Committee:-Health & Human Needs
Primary Sponsor:-Tina Ward-Pugh

120--R-32-01-10 A RESOLUTION AMENDING THE COUNCIL MEETING SCHEDULE OF THE LEGISLATIVE COUNCIL OF THE LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT (THE COUNCIL) AND COUNCIL COMMITTEE MEETINGS FOR THE CALENDAR YEAR 2010.

Status:-On Council Agenda - New Business
Committee:-Committee on Committees
Primary Sponsor:-Tom Owen

121--O-16-01-10 AN ORDINANCE AMENDING SECTION 32.200 OF THE LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT CODE OF ORDINANCES ("CODE") TO ENSURE THAT LOUISVILLE/JEFFERSON COUNTY METRO BOARDS AND COMMISSIONS ("BOARDS") HAVE REPRESENTATIVES, WHICH HAIL FROM THE VARIED GEOGRAPHIC AREAS OF LOUISVILLE METRO.

Status: On Council Agenda - New Business
Committee: Contracts and Appointments
Primary Sponsor: Rick Blackwell
Additional Sponsors: Barbara Shanklin
 Cheri Bryant Hamilton
 Marianne Butler
 Robert Henderson
 Tina Ward-Pugh
 Vicki Aubrey Welch
 Brent Ackerson
 Jim King

ADJOURNMENT:

PRESIDENT OWEN: We will have announcements following the formal adjournment of this meeting. Do I hear a motion to adjourn?

COUNCILMAN BLACKWELL: Motion to adjourn.

There being no further business, the **Regular January 28, 2010** Metro Council meeting adjourned without objection at 7:10 PM EST.

 Kathleen J. Herron, Metro Council Clerk

 Thomas L. Owen, Metro Council President

ANNOUNCEMENTS: CW Welch, CM Blackwell and President Owen made announcements.
